IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 24549 of 2004**

Between:

T. Rama Devi W/o Rajeshwar Rao
R/o 12-7-34/1, S.V. N. Road, Warangal, Warangal District

**... PETITIONER**

AND

1 The District Level Committee, rep by Chairperson, Warangal
2 The District Collector Warangal District, Warangal
3 The Joint Collector, Warangal District Warangal
4 The District Panchayat Officer, Warangal District, Warangal

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or Writ one in the nature of Writ of Mandamus, declaring action of the 1st respondent in not considering my appeal representation dt 24-07-2004 for refunding the deposit amount of Rs. 10,00,000/- for participating in the auction held on 27-12-2002 for eturunagaram Reach, Eturunagaram Village & Mandal, Waragnal District as arbitrary, illegal, unjust and violative of principles of natural justice and consequently direct the respondents to consider my representation.

**Counsel for the Petitioner: SMT.N.SHOBA**

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.**

The Court, at the admission stage, made the following:

## ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the first respondent in not considering the petitioner's representation dated 07-12-2004 for refund of the deposit amount of Rs.10,00,000/- for participating in the auction held on 27-12-2002 for Euturnagaram Reach, Warangal District, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj & Rural Development, appearing on behalf of the respondents and with their consent, the writ petition is being disposed of at the admission stage.

3. It is the case of the petitioner that the District Level Committee (sand) had issued notification dated 10-12-2002 for sealed tenders cum public auction of sand quarries at Eturunagarm Reach and Mangapet Reach, scheduled on 27-12-2002. It is stated that petitioner authorized her agent to participate on her behalf, but no auction was conducted on the scheduled date. It is further stated that when petitioner enquired the District Panchayat Officer about the date of auction and further details, on 06-01-2003, it was informed that a case in C.C.No.1471 of 2002 is pending on the file of this Court and that tenders will be finalized after disposal of the said case. Thereafter, when petitioner represented the authorities to grant her temporary permit, her case was not considered. Thereafter, when the said reach was again notified on 12-05-2003, petitioner filed W.P.No.10259 of 2003, which was disposed of by this Court to consider the representation of the petitioner.

4. While things stood thus, the District Collector passed orders in Memo No.2521/A4/2003 dated 13-10-2003 to forfeit 25% of the upset price of Rs.10,00,000/-. Aggrieved by the same, petitioner said to have made representation dated 24-07-2004 for return of Rs.10,00,0000/-, to the first respondent, but no action whatsoever has been taken on the same.

5. Inasmuch as the representation of the petitioner dated
13-10-2003 is pending on the file of the first respondent, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to consider the said representation of the petitioner and dispose of the same, expeditiously, in

accordance with law.

6. The writ petition is accordingly disposed of at the admission stage.

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**N.V. RAMANA, J**

December 29, 2004

**MRR / SVV**

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

**Copy to:**

1 The District Level Committee, rep by Chairperson, Warangal
2 The District Collector Warangal District, Warangal
3 The Joint Collector, Warangal District Warangal
4 The District Panchayat Officer, Warangal District, Warangal

5 Two C.C. s to the G.P. for Panchayat Raj & Rural Development,

High Court Buildings, Hyderabad

6 Two C.D. Copies.